



11-25-03

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ACE/1723

PTO/SB/30 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/275,534
Filing Date	March 24, 1999
First Named Inventor	Peter JAHN
Art Unit	1723
Examiner Name	David L. Sorkin
Attorney Docket Number	Bayer 10168.3

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☐ Amendment/Reply iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s) iv. ☐ Other _____

2. **Miscellaneous**

a. ☒ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of 3 months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 14-1263

i. ☒ RCE fee required under 37 CFR 1.17(e) 11/28/2003 BABRAHA1 00000032 141263 0927553

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 770.00 DA

iii. ☒ Other Processing Fee under 37 CFR 1.17(i) 02 FC:1460 130.00 DA

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	William C. Gerstenzang	Registration No. (Attorney / Agent)	27,552
Signature		Date	November 24, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as express in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. Express Mail Label No. EL 973657565 US

Name (Print / Type)	Julie Harting		
Signature		Date	November 24, 2003

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



FEE TRANSMITTAL for FY 2004 <i>Effective 10/01/2003. Patent fees are subject to annual revision.</i>		Complete if Known	
		Application Number	09/275,534
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	March 24, 1999
TOTAL AMOUNT OF PAYMENT (\$)		First Named Inventor	Peter JAHN
		Examiner Name	David L. Sorkin
		Art Unit	1723
		Attorney Docket No.	Bayer 10168.3-WCG

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES	
<input checked="" type="checkbox"/> Deposit Account:		Large Entity Small Entity	
Deposit Account Number		Fee Code (\$)	Fee Code (\$)
14-1263		1051 130	2051 65
Deposit Account Name		Fee Description	
Norris McLaughlin & Marcus		Fee Paid	
The Director is authorized to: (check all that apply)		1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments		1053 130 1053 130 Non - English specification	
<input type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)		1812 2,520 1812 2,520 For filing a request for <i>ex parte</i> reexamination	
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		1804 920* 1804 920* Requesting publication of SIR prior to Examiner action	
		1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action	
		1251 110 2251 55 Extension for reply within first month	
		1252 420 2252 210 Extension for reply within second month	
		1253 950 2253 475 Extension for reply within third month	
		1254 1,480 2254 740 Extension for reply within fourth month	
		1255 2,010 2255 1,005 Extension for reply within fifth month	
		1401 330 2401 165 Notice of Appeal	
		1402 330 2402 165 Filing a brief in support of an appeal	
		1403 290 2403 145 Request for oral hearing	
		1451 1,510 1451 1,510 Petition to institute a public use proceeding	
		1452 110 2452 55 Petition to revive - unavoidable	
		1453 1,330 2453 665 Petition to revive - unintentional	
		1501 1,330 2501 665 Utility issue fee (or reissue)	
		1502 480 2502 240 Design issue fee	
		1503 640 2503 320 Plant issue fee	
		1460 130 1460 130 Petitions to the Commissioner	
		1807 50 1807 50 Processing fee under 37 CFR § 1.17(q)	
		1806 180 1806 180 Submission of Information Disclosure Statement	
		8021 40 8021 40 Recording each patent assignment per property (times number of properties)	
		1809 770 2809 385 Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810 770 2810 385 For each additional invention to be examined (37 CFR § 1.129(b))	
		1801 770 2801 385 Request for Continued Examination (RCE) 770.00	
		1802 900 1802 900 Request for expedited examination of a design application	
		Other fee (specify) Processing Fee Under 37 CFR 1.17(i) 130.00	
		SUBTOTAL (3) (\$) \$900.00	
		*Reduced by Basic Filing Fee Paid	

1. BASIC FILING FEE	
Large Entity	Small Entity
Fee Code (\$)	Fee Code (\$)
1001 770	2001 385
1002 340	2002 170
1003 530	2003 265
1004 770	2004 385
1005 160	2005 80
SUBTOTAL (1) (\$) \$0.00	
2. EXTRA CLAIM FEES FOR UTILITY AND	
Extra Claims	
Total Claims	-20** = 0 X = 0.00
Independent Claims	-3** = 0 X = 0.00
Multiple Dependent	=
Large Entity	Small Entity
Fee Code (\$)	Fee Code (\$)
1202 18	2202 9
1201 86	2201 43
1203 290	2203 145
1204 86	2204 43
1205 18	2205 9
SUBTOTAL (2) (\$) \$0.00	

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	William C. Gerstenzang	Registration No. (Attorney/Agent)	27,552
Signature		Telephone	212-808-0700
		Date	November 24, 2003

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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